

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

IN RE:

CHICAGO BOARD OPTIONS EXCHANGE
VOLATILITY INDEX MANIPULATION
ANTITRUST LITIGATION

This Document Relates to All Actions

18-cv-4171
MDL No. 2842

Honorable Manish S. Shah

**JOINT APPLICATION FOR RENEWED APPOINTMENT OF
PLAINTIFFS' LEADERSHIP COUNSEL**

On August 16, 2018, the Court appointed Co-Lead Counsel and a Steering Committee for this action for a one-year term (Dkts. 119-120, appointment expiring Aug. 16, 2019). The Court determined those appointments would “best represent the variety of named plaintiffs, products, and potential theories of liability.” Dkt. 119. The Court has since renewed those appointments several times for either six-month or 1-year terms.¹

The most recent appointment term will expire on February 28, 2022. Dkt. 334.

Accordingly, the undersigned now submit this joint application to renew the Court’s current appointments, with no changes, for another year. All Co-Lead Counsel, and members of the Steering Committee, support this renewal. If granted, the Leadership Counsel and Steering Committee would remain as follows:

Proposed Co-Lead Counsel	Proposed Steering Committee
Kimberly A. Justice Freed Kanner London & Millen LLC 923 Fayette Street Conshohocken, Pennsylvania 19428	David C. Frederick Kellogg Hansen Todd Figel & Frederick, PLLC 1615 M Street NW, Suite 400 Washington, DC 20036
Jonathan C. Bunge Quinn Emanuel Urquhart & Sullivan, LLP 191 N. Wacker Dr., Suite 2700 Chicago, IL 60606	Hilary K. Scherrer Hausfeld LLP 888 16th Street NW, Suite 300 Washington, DC 20006
Sharan Nirmul Kessler Topaz Meltzer & Check, LLP 280 King of Prussia Road Radnor, PA 19087	Michelle C. Clerkin Motley Rice LLC 777 Third Ave., 27th Floor New York, NY 10017

Co-Lead Counsel, along with the Steering Committee, have continued to fulfill all of the duties and responsibilities outlined in the appointment order. The appeal of this Court’s dismissal order is still pending in the Seventh Circuit. Though counsel do not expect any actions

¹ See Dkt. 241 (extending appointments through Aug. 1, 2019); Dkt. 268 (extending appointments through Feb. 17, 2020); Dkt. 302 (extending appointments through Feb. 28, 2021); Dkt. 334 (extending appointments through Feb. 28, 2022).

to be necessary on behalf of the class until the Seventh Circuit issues a decision, we believe it prudent to have the appointments formally extended now so that responsibility for acting on behalf of the class is clear. That way, the class is not left unprotected should unforeseen events require quick decisions, such as (hypothetically) whether to file a request for re-hearing any aspect of the appeal following the Seventh Circuit's (forthcoming) decision.

Dated: February 23, 2022

By: /s/ Jonathan C. Bunge

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Jonathan C. Bunge (Il. Bar #6202603)
191 N. Wacker Drive, Suite 2700
Chicago, Illinois 60606
Telephone: (312) 705-7400
Fax: (312) 705-7401
jonathanbunge@quinnmanuel.com

Daniel L. Brockett
Toby E. Futter
Christopher M. Seck
51 Madison Avenue, 22nd Floor
New York, New York 10010
Telephone: (212) 849-7000
Fax: (212) 849-7100
danbrockett@quinnmanuel.com
tobyfutter@quinnmanuel.com
christopherseck@quinnmanuel.com

Jeremy D. Andersen
865 South Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: (213) 443-3000
Fax: (213) 443-3100
jeremyandersen@quinnmanuel.com

Co-Lead Counsel

Respectfully submitted,

/s/ Kimberly A. Justice

FREED KANNER LONDON & MILLEN, LLC

Kimberly A. Justice
923 Fayette Street
Conshohocken, Pennsylvania 19428
T: (610) 234-6771
F: (224) 632-4521
kjustice@fklmlaw.com

Michael J. Freed (Il. Bar #0869120)
Douglas A. Millen (Il. Bar #6226978)
Michael Moskovitz (Il. Bar #6237728)
Brian M. Hogan (Il. Bar #6286419)
2201 Waukegan Road, Suite 130
Bannockburn, IL 60015
Tel.: (224) 632-4500
Fax: (224) 632-4521
mfreed@fklmlaw.com
dmillen@fklmlaw.com
mmoskovitz@fklmlaw.com
bhogan@fklmlaw.com

/s/ Sharan Nirmul

KESSLER TOPAZ MELTZER & CHECK, LLP

Sharan Nirmul
280 King of Prussia Road
Radnor, PA 19087
Telephone: (610) 667-7706
Fax: (610) 667-7056
snirmul@ktmc.com

Co-Lead Counsel

/s/ Hilary K. Scherrer

HAUSFELD LLP

Hilary K. Scherrer
888 16th Street NW, Suite 300
Washington, DC 20006
Telephone: (202) 540-7200
Fax: (202) 540-7201
hscherrer@hausfeld.com

/s/ Michelle C. Clerkin

MOTLEY RICE LLC

Michelle C. Clerkin
777 Third Ave., 27th Floor
New York, NY 10017
Telephone: (212) 577-0046
Fax: (212) 577-0054
mclerkin@motleyrice.com

/s/ David C. Frederick

KELLOGG HANSEN TODD FIGEL

& FREDERICK, PLLC

David C. Frederick
1615 M Street, NW, Suite 400
Washington, DC 20036
Telephone: (202) 326-7951
Fax: (202) 326-7999
dfrederick@kellogghansen.com

CERTIFICATE OF SERVICE

I, Jonathan C. Bunge, hereby certify that on February 23, 2022, I electronically filed the foregoing document using the CM/ECF system, and have verified that such filing was sent electronically using the CM/ECF system to all parties who have appeared with an email address of Record.

Dated: February 23, 2022

/s/ Jonathan C. Bunge

Jonathan C. Bunge